

IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF VIRGINIA

Newport News Division

UNITED STATES OF AMERICA

v.

CRIMINAL NO. : 4:21CR28

ANTHONY JERMAINE FOMAN
Defendant.

STATEMENT OF FACTS

If the United States were to try this case, the evidence that would be proved beyond a reasonable doubt would be:

On December 15, 2020, Hampton Police Division officers investigating human trafficking within the City of Hampton searched through advertisements on a website. They found an advertisement for a young lady (Jane Doe 1) using a certain telephone number and exchanged text messages. During the exchange, the officer was given a location at a local hotel in Hampton on Mercury Boulevard. The agreed upon arrangement was for \$75.00 for oral sex. The officer asked if he should bring a condom and was told that she had one available. Once at the hotel with other officers, the officer texted and asked for the room number. He was provided with room number 234. The officer arrived at the door of the room and a female, later identified as Jane Doe 1, opened the door, and allowed the officer to enter. Once inside the room, the officer told Jane Doe 1 that he wanted to ask her some questions. She was given her *Miranda* rights, which she waived. She gave the officer a false name with the initials of I. H. with her birthdate in July 2001, making her 19 years old. Jane Doe 1 told the officer that she had come from Ohio and had only been in Virginia for one day and that she was sightseeing. The officer showed her



Handwritten signatures and initials: "JRM" and "ATF" in blue ink.

the advertisement, and she admitted the photo was her. However, she initially denied that she was soliciting sex. She said the advertisement was only to spend time with her. While the officer was speaking with Jane Doe 1, another female came from the bathroom of the hotel room. Officers then went to the bathroom and found the defendant, ANTHONY JERMAINE FOMAN, hiding behind the bathroom door. The officers spoke with the female, identified as F.D., and the defendant. The defendant stated initially that he was in Virginia travelling around and sightseeing. However, he ultimately admitted that he knew the girls in the room were prostituting themselves but claimed that he had nothing to do with it. He admitted that he paid for the rooms by getting money from the girls and that he was their driver. Both he and Jane Doe 1 were given summonses for prostitution offenses. The officers obtained a state search warrant for the hotel room. During a search of the room condoms were found. The officers also found telephones in the hotel room and they obtained state search warrants for the phones. Records obtained from the hotel showed that the defendant rented rooms on multiple occasions during the months of November and December 2020.

On January 8, 2021, a female who identified herself as I.H. called one of the officers involved in the investigation of the hotel room in Hampton on December 15, 2020. She told the officer that she had spoken with Jane Doe 1 who told her that she had used her identity that there were outstanding warrants for her arrest. I.H. cooperated with the police and provided the real identity for Jane Doe 1 and her mother's information. An officer with the Hampton Police Division sought assistance from a police department in Jane Doe's hometown in Ohio with the investigation and identification of Jane Doe 1.

On January 11, 2021, Jane Doe 1's mother made contact with the Hampton Police Division. She cooperated with the investigation and told the officers that Jane Doe 1 was 14

years old. She further stated that she had reported Jane Doe 1 missing after she failed to return from a trip to Tennessee with a friend's family. Jane Doe 1 returned home on or about December 29, 2020 after family members picked up Jane Doe 1 in Florence, South Carolina. The mother told the officers that she had taken Jane Doe to a pediatrician and a mental health facility following her return to Ohio.

Jane Doe 1 was interviewed regarding the events with the defendant. She said she met the defendant in November 2020 on a social media platform in Ohio where she lived. The defendant texted her and asked her where he could find good places to eat and where he could get weed. The defendant and F.D. picked her up in a car and drove around the area and to Cincinnati where they ate and obtained marijuana. She was driven to a hotel where she smoked marijuana and the defendant gave her ecstasy pills. She and the defendant also engaged in sexual relations. This was the first time that Jane Doe 1 engaged in sexual intercourse. The defendant asked Jane Doe 1 to come with him and F. D. and he promised that he would take care of her. They discussed that she was to prostitute herself in different places. The next day, the defendant took her back to a family members house. Approximately a week later she told the defendant that she would go with them and prostitute herself for a few weeks. The defendant returned to Ohio and picked her up. During their time together, the defendant took Jane Doe 1 to the states of Georgia, North Carolina, Virginia, Delaware, South Carolina, and Florida to prostitute herself. The defendant gave her ecstasy pills and marijuana. The defendant also used physical violence against her and she witnessed other women being physically abused by the defendant. She also told law enforcement officers that the defendant had unprotected sexual intercourse with her on numerous occasions. The defendant also took Jane Doe 1 to get her hair and nails done and he also bought her clothes and lingerie. She said that the defendant referred to her as "little baby".

Handwritten initials "J.D." in a circle, a blue ink signature, and the letters "AOF" in black ink.

She said that the defendant set up her “dates”, texted with customers and posted her advertisements. At some point she told the defendant to take her home, however he would not, although he told her she could leave. She stated that she did not have an identification or driver’s license so she could not obtain a way home. Ultimately, she called an aunt and asked her to pick her up in Florence, South Carolina.

On January 29, 2021, Hampton Police Division officers obtained felony warrants for the defendant’s arrest on state charges.

On January 30, 2021, the defendant was arrested in South Carolina and extradited to Hampton, Virginia. The defendant was interviewed by officers with the Hampton Police Division after waiving his *Miranda* rights. He admitted to being a pimp and that he took Jane Doe 1 to different states to prostitute herself. He also admitted to having sexual relations with Jane Doe 1.

An analysis of the defendant’s phone revealed that the defendant had seven videos of him and Jane Doe 1 engaging in genital-to-genital sexual intercourse and oral-to-genital sexual intercourse. The metadata from the phone reveals that these images of child pornography were produced in South Carolina on or about December 9, 2020.

Federal agents obtained records from the website that showed advertisements for Jane Doe 1.

The defendant admits that between the dates of November 25, 2020 to November 29, 2020, that he knowingly recruited, enticed, harbored, transported, provided, obtained, advertised, maintained, solicited and patronized Jane Doe 1, a female aged 14 years old, having had reasonable opportunity to observe Jane Doe 1 and knowing and in reckless disregard that Jane Doe 1 was under the age of 18 years old and in reckless disregard that Jane Doe 1 would be

caused to engage in commercial sex acts affecting interstate commerce.

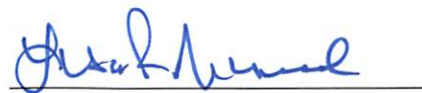
The defendant also admits that on or about December 8, 2020 to on or about December 15, 2020, he transported an image depicting child pornography as detailed in Count 5 of the Superseding Indictment. Specifically, the defendant admits that he knowingly transported to the Eastern District of Virginia, a visual depiction, to wit: an image of Jane Doe 1, depicting a minor engaging in sexually explicit conduct, specifically, actual and simulated genital- to- genital sexual intercourse and oral- to- genital sexual intercourse using any means or facility of interstate commerce. The defendant further admits that the image, constitutes "child pornography" as defined in Title 18, United States Code, § 2256 (2)(A)(B) and (8). Finally, the defendant admits that the image involved the use of a minor and that this is an image of Jane Doe 1, age 14 at the time of the offense.

These events occurred in the Eastern District of Virginia and elsewhere.

Respectfully submitted,

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By:



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After consulting with my attorney and pursuant to the plea agreement entered into this day between the defendant, and the United States, I hereby stipulate that the above Statement of Facts is a partial summary of the evidence which is true and accurate, and that had the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.

Anthony J Foman
ANTHONY JERMAINE FOMAN

9/2/21
Date

I am ANTHONY JERMAINE FOMAN's attorney. I have carefully reviewed the above Statement of Facts with him. To my knowledge, his decision to stipulate to these facts is an informed and voluntary one.

Wilfredo Bonilla, Jr., Esq.
Wilfredo Bonilla, Jr., Esq.
Assistant Federal Public Defender
Counsel for defendant

9/2/21
Date

Jan
AT#